



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2003 Assembly Bill 652**

**Assembly  
Amendment 1**

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*Assembly Bill 652* provides that, if a person reports to a law enforcement officer or to a district attorney (DA) that he or she was the victim of sexual exploitation by a therapist, sexual assault or sexual assault of a child, the law enforcement officer or DA may not order, request, or suggest that the person submit to a lie detector test in connection with the report, or provide the person information regarding lie detector tests unless the person requests such information.

*Assembly Amendment 1* creates a separate provision for DA's. Under the amendment, if a person reports a sexual assault crime to a DA, as described above, the DA may not order that the person submit to a lie detector test. In addition, the DA may not suggest or request that the person submit to a lie detector test without first providing the person with notice and an explanation of his or her right not to submit to such a test. The amendment does not modify the bill as it relates to reports of sexual assault made to a law enforcement officer.

The amendment also creates a provision in the statutory bill of rights for victims under which a victim has a right not to be the subject of a law enforcement officer's or DA's order, request, or suggestion that he or she submit to a lie detector test if he or she claims to have been the victim of a sexual assault, except as permitted in provisions described above.

Assembly Amendment 1 was introduced by Representative Suder. The Assembly Committee on Criminal Justice recommended adoption of Assembly Amendment 1 on a vote of Ayes, 14; Noes, 0, and recommended adoption of the bill, as amended, on a vote of Ayes, 14; Noes, 0, on February 11, 2004.

AS:tlu